

Panaji, 25th April, 1991 (Vaisakha 5, 1913)

SERIES II No. 4

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There are two Extraordinary issues to the Official Gazette, Series II No. 3 dated 18-4-91 namely: No. 1 dated 18-4-91 from pgs. 29 to 32 and No. 2 dated 19-4-91 from pgs. 33 to 34 regarding Notifications from Revenue Department and Law (Establishment) Department (Office of the Chief Electoral Officer).

GOVERNMENT OF GOA

Department of Personnel

Order

No. 24/3/88-PER

Read: — Order No. 31/1/84-PER dated 29-6-1988.

In terms of Rule 24 of the Goa Police Service Rules, 1973, the Government of Goa is pleased to confirm Shri Indra Dev Shukla, probationer of Goa Police Service in the Grade II post of the service with effect from 6-6-1990, consequent upon his completion of the probation period satisfactorily.

By order and in the name of the Governor of Goa.

Smt. Prabha Chandran, Under Secretary (Personnel).

Panaji, 21st December, 1990.

Home (General) Department

Notification

No. 1-53-88-HD(G)

Read: — Government Notification No. HD-34-1410/1966-A dated 5th October, 1966.

Sanction of the Government is hereby conveyed to transfer the Xelvona Village from the jurisdiction of Quepem Police Station to the jurisdiction of Curchorem Police Station with immediate effect in public interest.

By order and in the name of the Governor of Goa.

G. P. Chimulkar, Under Secretary (Home).

Panaji, 9th April, 1991.

Planning Department

Order

No. 4/19/88-PLG

In terms of Rule 48(i) of the Central Civil Service Pension Rules, 1972, sanction of the Government is hereby conveyed to the acceptance of the notice of Voluntary retirement dated 1-10-90 given by Shri N. A. Chodankar, Research Assistant of Directorate of Planning, Statistics and Evaluation, Panaji with effect from 31-12-1990 (A.N.).

Consequently Shri N. A. Chodankar stands relieved from the service with effect from 1st January, 1991 (F. N.).

The outstanding amount approximately to the extent of Rs. 15,000/- towards the House Building Advance against Shri N. A. Chodankar will be recovered from his gratuity as per his undertaking.

By order and in the name of the Governor of Goa.

K. A. Satardekar, Under Secretary to the Government of Goa (Planning Department).

Panaji, 26th December, 1990.

Irrigation Department

Order

No. 3/25-20/85/IRRG

Government is pleased to order the following promotions of the below mentioned Assistant Engineers/Assistant Surveyor of Works of the Irrigation Department, Government of Goa, to the post of Executive Engineer/Cost Analyst in Irrigation Department with immediate effect and post them against the places indicated below:—

Sr. No.	Name of the Officer	Present place of posting	New place of posting
1	2	3	4
1.	Shri S. Sekar	Sub Div. IV, Works Div. XIV, I. D., Margao.	Cost Analyst, Cost Control Cell, Panaji (newly created post).
2.	Shri Arvind Salelkar	Sub Div. I, Works Div. II, I. D., Margao.	Works Div. IX, I. D., Gogol, Margao vice Shri S. V. Borkar promoted.
3.	Shri S. Param-sivan	Sub Div. III, Works Div. VII, I. D., Pernem.	Works Div. VII, I. D., Mapusa vice Shri O. R. Bagali promoted.

The appointment is purely on ad-hoc basis and will not bestow any claim for regular appointment and service rendered on ad-hoc basis in the grade will not count for the purpose of seniority in the grade and for eligibility for promotion to the next higher grade.

Shri N. K. Dayalu, Executive Engineer, Works Div. XIV holding the charge of Works Div. IX, Gogol, Margao and Shri M. S. Chauhan, Executive Engineer, Works Div. VII holding the charge of Works Div. VII, Irrigation Department, Mapusa shall stand relieved of the additional charge with effect from the date S/Shri Arvind Salelkar and S. Param-sivan take over the charge.

The relieving order of the above mentioned promotees shall be issued by the Chief Engineer (Irrigation).

By order and in the name of the Governor of Goa.

D. V. Sathe, Under Secretary to the Government of Goa (Irrigation).

Panaji, 20th December, 1990.

Order

No. 3/22-1/89-IRRG

Government is pleased to order the transfer in public interest and with immediate effect, the below mentioned Executive Engineer/Surveyor of Works in Irrigation Department, Goa to the places indicated against each of them:

Sr. No.	Name of the Officer	Present place of posting	New place of posting
1	2	3	4
1.	Shri A. A. Kulkarni, Surveyor of Works	Circle Office I, I.D., Panaji.	E. E., Works Div. I, I. D., Panaji.
2.	Shri V. B. Joshi, Executive Engineer	Works Div. I, I.D., Panaji.	S. W., Circle Office I, I. D., Panaji.

The movement order in respect of the above mentioned transferees shall be issued by the Chief Engineer (Irrigation).

By order and in the name of the Governor of Goa.

D. V. Sathé, Under Secretary to the Government of Goa (Irrigation).

Panaji, 21st December, 1990.

Department of Cooperation

Office of the Assistant Registrar of Coop. Societies

Notification

In exercise of the powers vested in me under sub-section (1) of Section 9 of the Maharashtra Cooperative Societies Act, 1960, as applied to the State of Goa, St. Cruz Sahakari Dugdh Vyavasayik Saunstha Ltd., St. Cruz-Tiswadi-Goa, is registered under code symbol No. PRD-(c)-74/AR(Dairy)/Goa.

M. A. Desai, Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 29th November, 1990.

Certificate of Registration

St. Cruz Sahakari Dugdh Vyavasayik Sanstha Ltd., St. Cruz-Tiswadi-Goa has been registered on 29-11-90 and it bears registration code symbol No. PRD-(c)-74/AR(Dairy)/Goa and it is classified as 'Producers' Societies' - Agricultural Producers' Society under sub-classification No. 7(c) of Rule 9 of Coop. Societies Rules, 1962.

M. A. Desai, Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 29th November, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, the Sakhali Urban Cooperative Credit Society Ltd., Sakhali-Goa is registered under Code Symbol No. RES-(a)-1/NZ/Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 31st October, 1990.

Certificate of Registration

The Sakhali Urban Cooperative Credit Society Ltd., Sakhali-Goa has been registered on 31st October, 1990 and it bears registration Code Symbol No. RES-(a)-1/NZ/Goa and it is classified as a "Resource Society" under Sub-Classification

No. 8(a), Credit Resource Society in terms of Rule No. 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 31st October, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, Shree Bhagwati Nagari Sahakari Path Saunstha, Ltd., Pernem-Goa is registered under Code Symbol No. RES-(a)-2/NZ/Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 31st October, 1990.

Certificate of Registration

Shree Bhagwati Nagari Sahakari Path Saunstha Ltd., Pernem Goa has been registered on 31st October, 1990 and it bears registration Code Symbol No. RES-(a)-2/NZ/Goa and it is classified as a "Resource Society" under Sub-Classification No. 8(a), Credit Resource Society in terms of Rule No. 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 31st October, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, The State Bank of India Employees 'Suvidha' Consumers Cooperative Society Ltd., Mapusa-Bardez Goa is registered under Code Symbol No. CON-18/NZ/Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 16th November, 1990.

Certificate of Registration

The State Bank of India Employees 'Suvidha' Consumers Cooperative Society Ltd., Mapusa-Bardez Goa has been registered on 16th November, 1990 and it bears registration No. CON-18/NZ/Goa and it is classified as "Consumers' Society" in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 16th November, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, Shree Raghuvir Sahakari Audyogik Utpadak Saunstha Ltd., Korgao-Pernem-Goa is registered under Code Symbol No. PRO-(a)-1/NZ/Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 21st November, 1990.

Certificate of Registration

Shree Raghuvir Sahakari Audyogik Utpadak Saunstha Ltd., Korgao-Pernem-Goa has been registered on 21st November, 1990 and it bears registration No. PRO-(a)-1/NZ/Goa and it is classified as "Processing Society" under Sub-Classification No. 6(a) 'Agricultural Processing Society' in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 21st November, 1990.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, The Sainik Consumer's Cooperative Society Ltd., Porvorim, Bardez-Goa, is registered under Code Symbol No. CON-19/NZ/Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 27th November, 1990.

Certificate of Registration

The Sainik Consumer's Cooperative Society Ltd., Porvorim, Bardez-Goa has been registered on 27th November, 1990 and it bears registration No. CON-19/NZ/Goa and it is classified as 'Consumers Society' in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. J. Khorate, Asstt. Registrar of Coop. Societies (North Zone).

Mapusa, 27th November, 1990.

Revenue Department

Notification

No. 22/15/91-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of Sanquelim branch Canal from Ch. 1300M to 3300M. of L. B. M. C. of T. I. P.

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification will, under clause (7) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S. D. O. Ponda to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorise, under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. The Deputy Collector/S. D. O. Ponda.
3. The Executive Engineer, W. D. VI (AICD) I Department Bicholim.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector S. D. O. Ponda for a period of 30 days from the date of publication of this Notification in Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Bicholim

Village: Latambareem

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
259/2 part	O: 1. Adward Rodrigues. 2. Rock Rodrigues.	200.00
259/3 part	O: Dattaram Laximan Mungre.	10,000.00
258/1 part	O: 1. Nakul Narayan Gauns. 2. Mukund Lado Gauns. 3. Sitaram Lado Gauns. 4. Devki Pundalik Gauns. 5. Jairam Gopal Gauns. 6. Atmaram Fokro Gauns. 7. Shiva Vishnu Gauns. 8. Mahadev Vishnu Gauns. 9. Babaji Laxman Gauns. 10. Dattaram Laxman Gauns. 11. Vittoba Keshav Gauns. 12. Shantaram Keshav Gauns. 13. Shankar Keshav Gauns.	6,000.00
256/1 part	O: 1. Atmaram Fakro Gauns. 2. Sitaram Govind Gauns. 3. Jairam Govind Gauns. 4. Babaji Laxman Gauns. 5. Dattaram Laxman Gauns. 6. Vittoba Keshav Gauns. 7. Shantaram Keshav Gauns. 8. Shankar Keshav Gauns.	1200.00
256/2 part	O: 1. Hari Govind Gauns. 2. Babaji Laxman Gauns. 3. Dattaram Laxman Gauns. 4. Vittoba Keshav Gauns. 5. Shantaram Keshav Gauns. 6. Shankar Keshav Gauns.	400.00
256/3 part	O: 1. Anant Narayan Gauns. 2. Fati Narayan Gauns. 3. Babaji Laxman Gauns. 4. Dattaram Laxman Gauns. 5. Vittoba Keshav Gauns. 6. Shantaram Keshav Gauns. 7. Shankar Keshav Gauns.	425.00
256/4 part	O: 1. Jairam Gopal Gauns. 2. Surya Gopal Gauns. 3. Babaji Laxman Gauns. 4. Dattaram Laxman Gauns. 5. Vittoba Keshav Gauns. 6. Shantaram Keshav Gauns. 7. Shankar Keshav Gauns.	325.00
256/5 part	O: 1. Mukund Lado Gauns. 2. Babaji Laxman Gauns. 3. Dattaram Laxman Gauns. 4. Vittoba Keshav Gauns. 5. Shantaram Keshav Gauns. 6. Shankar Keshav Gauns.	325.00
256/6 part	O: 1. Devki Pundalik Gauns. 2. Babaji Laxman Gauns. 3. Dattaram Laxman Gauns. 4. Vittoba Keshav Gauns. 5. Shantaram Keshav Gauns. 6. Shankar Keshav Gauns.	325.00
256/7 part	O: 1. Atmaram Fakro Gauns. 2. Vishram Fakro Gauns. 3. Dattaram Laxman Gauns. 4. Vittoba Keshav Gauns. 5. Shantaram Keshav Gauns. 6. Shankar Keshav Gauns. 7. Babaji Laxman Gauns.	250.00
256/12 part	O: 1. Surya Gopal Gauns. 2. Babaji Laxman Gauns. 3. Vittoba Keshav Gauns. 4. Shantaram Keshav Gauns. 5. Dattaram Laxman Gauns. 6. Shankar Keshav Gauns.	25.00
255/1 part	O: 1. Rock Rodrigues. T: 1. Dattaram Laxman Gauns.	1500.00
257/1 part	O: 1. Shridue Shanta Durga. 2. Sateri Devi Karpal.	10,000.00
251/1 part	O: 1. Pandu Rama Gauns. 2. Bombdo Ladko Gauns.	2500.00

1	2	3
305/1 part	O: 1. Shantadurga Devi.	10,000.00
303/1 part	O: 1. Mukund Lado Gauns. 2. Sitaram Govind Gauns. 3. Jairam Gopal Gauns. 4. Pandurang Fakro Gauns. 5. Hari Govind Gauns. 6. Nakul Narayan Gauns. 7. Devki Pundalik Gauns. 8. Babaji Laxman Gauns. 9. Dattaram Laxman Gauns. 10. Vithoba Keshav Gauns. 11. Shantaram Keshav Gauns. 12. Shankar Keshav Gauns.	14,000.00
298/1 part	O: 1. Narayan Laxman Ghadi. 2. Soma Budaji Ghadi. 3. Rukmini Vithoba Ghadi. 4. Dropadi Pandu Ghadi.	8000.00
302/part	O: 1. Raju Bablo Ghadi. 2. Babli Purushottam Ghadi. 3. Madhukar Purushottam Ghadi.	10,000.00
299/1 part	O: 1. Durgabai Jaidev Naik.	10,000.00
301/part	O: 1. Durgabai Jaidev Naik.	1600.00
294/1 part	O: 1. Jairam Shiva Ghadi. 2. Ganapat Dattaram Ghadi. 3. Kalidas Shambhu Naik. (9) 4. Prakash Shambu Naik. 5. Praveen Shambu Naik. (9)	12,000.00
294/2 part	O: 1. Vasu Govind Ghadi. 2. Krishna Govind Ghadi. 3. Sagun Laxman Ghadi. 4. Laxman Keshav Ghadi.	13,000.00
295/2 part	O: 1. Ramachandra Govind Vazo.	15,000.00
296/2 part	O: 1. Damodar Narayan Mashelkar. 2. Raghuvir Narayan Mashelkar.	500.00

Boundaries:

North Road.

South: S. No. 296/2.

East: S. No. 259/3, 258/1,
255/1, 251/1, 305, 301, 303,
298/1, 302, 299/1, 294/1,
294/2, 295/2.West: S. No. 259/2, 259/3, 258,
256/7, 11, 121, 359/, 305, 303,
298/1, 302, 301, 299/, 294/1,
294/2, 296/2.

Total: 1,27,575.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 26th February, 1991.

Notification

No. 22/12/91-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as "the said land") is likely to be needed for public purpose viz. Land Acquisition for improvement and Black Topping of NH 17 Margao Cortalim Road (Verna Bye Pass) between Km. 23/200 to 26/400 Part II.

And Whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or

other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of section 3 of the said Act the Deputy Collector (LA) Collector of South Goa Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Dy. Collector (LA) Collectorate of South Goa, Margao.
3. The Executive Engineer, W. D. XIV(NH) PWD Fatorda Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector (LA) Collectorate of South Goa Margao for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Verna

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
317/20 part	Comunidade of Verna. T: Pedro Abrances.	275.00
"/21 part	1. Comunidade of Verna. T: Salvador Gama.	200.00
"/22 part	1. Comunidade of Verna. T: Pinto Cardoz.	150.00
"/23 part	1. Comunidade of Verna. T: Marshal Cardoz.	150.00
"/25 part	1. Comunidade of Verna. T: Joaquim Sebastiao Fernandes.	200.00
310/1 part	1. Alfred Jose Vicente.	125.00
"/2 part	1. Jacinto De Piedade Abranches. T: Francisco Mascarenhas.	250.00
"/2 part	1. Comunidade of Verna. T: Antonio Correia.	150.00
"/4 part	1. Comunidade of Verna. T: Francisco Rodrigues.	75.00
"/5 part	1. Comunidade of Verna. T: Caetano Souza.	75.00
"/6 part	1. Comunidade of Verna. T: Francisco Correia.	75.00
311/22 part	1. Comunidade of Verna. T: Nicilan Francisco Barreto.	125.00
"/12 part	1. Comunidade of Verna. T: Jacinto Gonsalves.	700.00
"/18 part	1. Comunidade of Verna. T: Rosa Fernandes.	3600.00
"/19 part	1. Comunidade of Verna. T: Sebastiao Pinto.	100.00
"/20 part	1. Comunidade of Verna. T: Rosa Souza.	80.00
"/21 part	1. Comunidade of Verna. T: Joaquim Rosario Moniz.	80.00

1	2	3	1	2	3
255/1 part	1. Comunidade of Verna. T: Rosa Souza.	100.00	258/24 part	Comunidade of Verna. T: Mathew Fernandes.	525.00
"/3 part	1. Comunidade of Verna. T: Pedro Costa.	100.00	"/25 part	Comunidade of Verna. T: Esabela Fernandes.	1275.00
"/4 part	1. Comunidade of Verna. T: Maria Severina Costa.	75.00	251/1 part	Oswal Miranda.	200.00
"/5 part	1. Comunidade of Verna. T: Tomo Sebastiao.	50.00	"/2 part	Comunidade of Verna.	100.00
256/1 part	1. Comunidade of Verna.	250.00	"/3 part	Oswal Miranda.	475.00
256/2 part	Comunidade of Verna. T: Antonio Rosario Abraches.	475.00	"/5 part	Comunidade of Verna. T: Carmelina Fernandes.	1150.00
"/9 part	Ciastano Moniz.	525.00	"/7 part	Comunidade of Verna. T: Catorina Almeida.	775.00
"/13 part	Comunidade of Verna. T: Salvaso Fernandes.	625.00	"/8 part	Comunidade of Verna. T: Baptista Braganza.	250.00
"/16 part	Comunidade of Verna. T: Luisza Maria Rodrigues.	500.00	242/2 part	Comunidade of Verna. T: Francisco Fernandes.	200.00
"/18 part	Comunidade of Verna. T: Piedade Satan Fernandes.	250.00	"/3 part	Comunidade of Verna. T: Rosa Fernandes.	1450.0
"/20 part	Comunidade of Verna. T: Elora Cardoz.	250.00	"/4 part	Comunidade of Verna. T: Floriania Pereira.	2900.00
"/21 part	— do —	400.00	"/5 part	Comunidade of Verna. T: Salvador Fernandes.	2500.00
"/19 part	Comunidade of Verna. T: Piedade Santan Fernandes.	350.00	240/1 part	1. Comunidade of Verna. T: Alexander Costa.	500.00
"/17 part	Comunidade of Verna. T: Luiza Maria Rodrigues.	675.00	"/2 part	Comunidade of Verna. T: Alexander Cardoz.	975.00
"/11 part	Luiza Gama.	625.00	243/2 part	Hilda D'Costa.	100.00
"/10 part	Caitano Moniz.	400.00	237/1 part	Comunidade of Verna. T: Alrx Costa.	650.00
"/3 part	Comunidade of Verna. T: Antonio Rosario Abranches.	225.00	"/2 part	Comunidade of Verna. T: Luiza Maria Rodrigues. Maria Ana Goes.	1825.00
309/1 part	Jose Filomena Abranches.	150.00	"/3 part	Comunidade of Verna. T: Maria Luiza Fernandes.	1200.00
"/4 part	— do —	350.00	"/4 part	Comunidade of Verna. T: Especiosa Ferrao.	250.00
"/11 part	Comunidade of Verna.	50.00	"/5 part	Comunidade of Verna. T: Alarico Pereira.	75.00
"/12 part	Jose Luis Filomena Abranches.	325.00	238/2 part	Comunidade of Verna. T: Luiza Maria Rodrigues.	350.00
257/2 part	— do —	350.00	"/6 part	Comunidade of Verna. T: Especiosa Ferrao.	1850.00
"/3 part	Comunidade of Verna.	175.00	"/11 part	Diniz Fernandes.	75.00
"/4 part	Jose Lucia Filomena Abranches. T: Piedade Fernandes.	750.00	"/12 part	Comunidade of Verna. T: Alarico Pereira.	1450.00
"/5 part	— do —	500.00	"/13 part	Amelia D'Souza.	150.00
"/10 part	Comunidade of Verna. T: Jacinto Correia. Santana Correia.	975.00	"/14 part	Pedro Camilo Fernandes.	500.00
"/11 part	— do —	2400.00	"/20 part	Vitoria Faria.	400.00
"/16 part	Roque Figueire.	745.00	"/21 part	Jose Francisco Fernandes. Manuel Luis Fernandes.	650.00
"/19 part	1. Roque Fegueirdo. 2. Caitano Samelhago.	75.00	"/23 part	Jose Inacio Fernandes.	1000.00
"/21 part	Caitano Somelhago.	550.00	"/26 part	Jacinto Gama Cateto.	1000.00
258/3 part	Comunidade of Verna. T: Nicolau Cardoze.	1000.00	227/1 part	1. Alexzender Joseph Menezes Gama. 2. Adolf Savia Menezes Gama Goezelia. 3. Olava Maria Menezes Gama Goeselia. 4. Joaquim Veterin Santan Jetty Menezes Gama.	6675.00
"/4 part	Comunidade of Verna. T: Xavier Fernandes.	150.00	226/1 part	1. Joao Francisco Rodrigues. 2. Felicina Rodrigues. 3. Roque Sebastiao Rodrigues. 4. Esperanca Rodrigues. 5. Antonio Rodrigues. 6. Sebastiao Rodrigues.	1400.00
"/8 part	— do —	1050.00	"/2 part	— do —	4300.00
"/9 part	— do —	50.00	225/1 part	Remediana Paulina Fernandes. Jacinto Fernandes.	950.00
"/10 part	Comunidade of Verna. T: Martis Fernandes.	800.00	"/2 part	John Jerome Anatao.	300.00
"/11 part	— do —	225.00	"/3 part	Alcino Francis Fernandes.	250.00
"/12 part	Comunidade of Verna. T: Rosa Maria Braganza.	325.00	"/4 part	Nateus Silva.	250.00
"/13 part	— do —	250.00	"/6 part	Caetano Mendes. Jose Baptisa Mendes.	250.00
"/14 part	Comunidade of Verna. T: Roque Zinoiho Carvalho.	225.00	"/8 part	Jose Faliviano Antao	250.00
"/15 part	— do —	325.00	"/10 part	Xavier De Silva Miranda.	80.00
"/17 part	Comunidade of Verna. T: Caletana Jose Fernandes.	150.00	"/11 part	Antonio Salvador Miranda.	325.00
"/18 part	— do —	400.00	13/9 part	John Piety Francisco Costa Bir.	200.00
"/19 part	Comunidade of Verna. T: Francisco Fernandes.	75.00			
"/20 part	— do —	475.00			
"/21 part	Comunidade of Verna. T: Natalina Fernandes.	1000.00			
"/22 part	— do —	1050.00			
"/23 part	Comunidade of Verna. T: Baptista Braganza. Maria Luiza Fernandes.	575.00			

1	2	3
336/5 part	Comunidade of Verna. T: Jose Bernado Fernandes.	75.00
<i>Boundaries:</i>		
North: S. No. 317/19, S. No. 240/1, 2, S. No. 238/2, 6, 14, 21, 23, 26, S. No. 227/1, S. No. 226/1, S. No. 226/1, 2, S. No. 239/8, S. No. 210/1, 2, 3.		
South: S. No. 237/3, 4, S. No. 238/20, S. No. 227/1, S. No. 226/1, 25, S. No. 225/1, 2, 3, 4, 6, 8, 11, 10.		
East: S. No. 317/20, 21, S. No. 311/8, 22, 12, 18, 19, 20, 21, S. No. 255/1, 3, 4, 5, S. No. 256/9, 13, 16, 18, 20, S. No. 257/2, 5, 11, 16, 21, S. No. 258/3, 8, 11, 13, 15, 18, 20, 21, 22, 23, 24, 25, S. No. 251/1, 2, 3, 5, road, S. No. 242/3, 2, 4, 5, S. No. 240/1, 2, S. No. 238/2, 6, 11, 13, 14, 21, 23, 26.		
West: S. No. 317/20, 21, 22, 23, 25, S. No. 310/1, 2, 3, 4, 5 & 6, S. No. 311/12, 13, S. No. 309/1, 4, 12, S. No. 256/3, 10, 11, 17, 19, 21, S. No. 257/4, 5, 10, 16, 20, S. No. 258/3, 8, 10, 12, 14, 17, 19, 21, 22, 23, 24, 25, S. No. 251/1, 3, 5, 7, 8, road, S. No. 242/3, 4, 5, S. No. 243/2, S. No. 237/1, 2, 3, 4, S. No. 238/20, 26, S. No. 227/1, S. No. 226/1, 2, S. No. 225/1, 2, 3, 6, 8, & 11.		
Total		67910.00

By order and in the name of the Governor of Goa.

D. V. Sathe, Under Secretary (Revenue).

Panaji, 15th March, 1991.

Corrigendum

No. 22/13/87-RD

Read: — Notification No. 22/13/87-RD dated 17-4-1989 published in the Official Gazette dated 27-4-1989, Sr. II, No. 4 pg. 37 and in two News papers (1) Gomantak dated 26-4-1989 and Navhind Times dated 5-5-1989.

The "Dy. Collector, North Sub-Division, Panaji" appearing in the above notification may be read as "Dy. Collector & S.D.O., Panaji".

By order and in the name of the Governor of Goa.

K. M. Nambiar, Under Secretary (Revenue).

Pnaaji, 9th April, 1991.

Public Health Department

Order

No. 5/20/84-PHD

On the recommendation of the Goa Public Service Commission vide their letter No. COM/1/6/35(2)/90 dated 14-12-1990 Government is pleased to appoint Dr. Bramhanand Givagi Sinai Cuncolienkar presently holding the post of Assistant Medical Officer on ad-hoc basis in the Institute of Psychiatry & Human Behaviour, Altinho, Panaji, as Assistant Medical Officer on regular basis in the pay scale of Rs. 2200-75-2800-EB-100-4000 with immediate effect.

Dr. Cuncolienkar shall be on probation for a period of two years.

The appointment is made subject to the verification of his character and antecedents. Dr. Cuncolienkar has been declared medically fit.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Under Secretary (Health).

Panaji, 16th January, 1991.

Order

No. 5/90/79/PHD/Vol. VII

On recommendation of the Goa Public Service Commission vide their letter No. COM/II/30(8)90 dated 17-12-1990 Government is pleased to appoint Dr. Dilip Amonkar presently holding the post of Assistant Professor of Surgery on ad-hoc basis as Assistant Professor of Surgery on regular basis in the pay scale of Rs. 3000-100-3500-125-5000 plus special pay of Rs. 100/- per month with immediate effect.

Dr. Amonkar shall be on probation for a period of two years.

He has been medically declared fit and his character and antecedents have been verified.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Under Secretary (Health).

Panaji, 17th January, 1991.

Department of Labour

Order

No. 28/2/88-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 27th June, 1989.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/20/84

Shri S. J. Cota

— Workman

V/s

M/s. G. N. Agrawal

— Employer

Workman represented by Shri R. V. Gaitonde.

Employer represented by Shri P. K. Lele.

PANAJI, Dated: 2-6-1989.

AWARD

This is a reference made by the Government of Goa, by its order No. 28/15/83-ILD dated 24th April, 1984 with an annexure scheduled thereto which reads as follows:

"Whether the action of the employer, M/s G. N. Agrawal, Station Road, Margao, Salcete-Goa, in terminating the service of Shri S. J. Cota, Sr. Clerk, w. e. f. 13-11-1982 is legal and justified?

If not, to what relief the workman is entitled to?"

After the above government reference was received in this office, by order of my Predecessor dated 16-5-1984 notices were issued to the parties who appeared in the case and filed their pleadings by way of claim statement and written statement and the rejoinder. Even though the industrial dispute under Government reference is regarding the alleged

illegal termination of the services the matter has turned round and the point namely whether the workman had voluntarily tendered his resignation or whether the action of the management amounts to retrenchment, and to what retrenchment compensation and other benefits the workman is entitled to? The workman has now restricted his claim to the payment of retrenchment compensation and other benefits as contemplated u/s 25F of the I. D. A. while the management have confined themselves to the amount of gratuity which the workman is entitled to and according to them the gratuity was offered to the workman at the time of accepting his resignation but the workman did not show his inclination to accept the amount of gratuity offered to him. With these initial observations I shall now advert to the pleadings of the parties.

In his claim statement filed on 11th June, 1984 the workman states that he joined the services of the Opposite Party/Firm on 26-12-1960, initially as a clerk and after 10 years he was promoted as a Sr. Clerk and he continued to hold his post till the illegal termination of his services w. e. f. 13-11-1982. According to the workman about 3 years before the illegal termination the employer brought a false charge against him of purchasing some items for the employer at a lower price but claimed and obtained payment from the employer at higher rate. The Employer had threatened the workman of dire consequences including his criminal prosecution. So under this threat the management obtained an undated resignation letter from the workman with an assurance that no further action would be taken against the workman in that matter. In the year 1982 or so the employer started terminating services of the employees working under it in different establishments such as Mines, Barge Section, Head Office, etc. Some employees were forced to tender their resignations and some were given a tempting offer of retrenchment compensation in accordance with Sec. 25 F of the I. D. A. in addition to other legal dues.

After giving the above information about the attitude of the employer the workman states that on 30-10-1982 Shri K. Agarwal son of the employer called him in his cabin and asked him to tender a resignation saying that all legal dues including retrenchment compensation would be paid to him similar to other employees. Accordingly the said Krishnakumar Agarwal took the letter of resignation and this letter was typed by some clerk as directed by him. According to the workman this letter is not voluntary but was obtained by force. The workman hoped to get sufficient compensation so he approached the Accounts department on 13-11-1982 and the cashier told him that he would get Rs. 975.62 only being the salary for the 13 days work of November, 1982. The workman was shocked to hear this and till then a leave of 34½ days was to his credit. The workman thereafter wrote a letter to the management questioning their attitude and thereafter he raised the industrial dispute. This is the sum and substance of his pleadings.

In reply the management in the written statement dated 23-7-1984 claims that the company accepted the letter of resignation dated 30th October, 1982 and in view of the voluntary resignation the Civil Court will have jurisdiction and the workman may ask for a relief under the specific relief Act and the Industrial Tribunal had no jurisdiction. They also deny that the resignation letter was forcibly accepted but according to them this is a voluntary resignation letter over which the Civil Court has a right to adjudicate. The Employer further states that the workman is not entitled to reinstatement or any other relief. To this the workman filed his rejoinder dated 23rd August, 1984 contending inter alia that the Tribunal had the jurisdiction and that the Civil Court has no jurisdiction and that this is an industrial dispute and the dispute is covered by the provisions of I. D. Act.

With these pleadings my Predecessor framed the following issues on 24-9-1984.

- 1) Whether the Workman proves that his resignation was obtained by the employer by force and coercion?
- 2) Whether the Workman proves that his resignation was subject to fulfilment by the employer of some conditions mentioned in the letter of resignation, which condition the employer has not fulfilled?
- 3) Whether the employer proves that this Court has no jurisdiction to adjudicate the present dispute?

My findings on the issues;

1. Yes.
2. Yes—Retrenchment compensation and gratuity awarded.
3. No as not pressed.

REASONS:

In view of the pleadings as stated above issues 1 & 2 alone survive for consideration as the issue of jurisdiction is not pressed by the management and it is accepted that this is an industrial dispute and this Tribunal has jurisdiction to decide the matter. Hence the main and important question posed for consideration in this matter is whether the resignation was obtained by the employer by force and coercion and secondly it has to be noted whether the resignation was subject to the fulfilment of the conditions mentioned in the letter of resignation such as payment of retrenchment compensation and other legal dues.

The dispute as stated above has narrowed down to a small compass namely the payment of retrenchment compensation, the liability of paying the gratuity having been admitted by the Company in unmistakable terms. The workman who claims to be working now on daily wages has expressed that he does not claim reinstatement and in his deposition in the last para of his examination in chief he states that now he is working as a casual worker with Vallab Agency getting Rs. 15/- per day. He wants retrenchment compensation, a Gratuity and whatever legal dues which are admissible to him. The entitlement to gratuity is conceded to by the management and the only short question is regarding the payment of retrenchment compensation. Shri P. K. Lele for the management had submitted before me that the workman having tendered the resignation voluntarily is not entitled to the retrenchment compensation because this is not a case of retrenchment as contemplated u/s 25F of the Act. Hence I have to see whether the resignation was voluntarily tendered or whether there was coercion and whether the workman was forced to tender the resignation as claimed by him. In this regard we have the evidence of the workman himself who is examined on 7th March, 1988 and that of Shri K. N. Rao, the then Personnel Manager of Party II who worked with them from 1975 to 1984.

Adverting then to the evidence of the workman the workman states that the son of the Proprietor by name Krishna Kumar Agrawal called him in the office and gave him threats saying that he had committed a fraud in purchasing goods for less price and showing their prices to be higher in the bills submitted to the company. The workman was given hardly 15 minutes time to deliberate and he under the threat of prosecution tendered the resignation and this is at Exb. E-4. The management claims that this letter was submitted on 30-10-82. However, there is reason to believe that this resignation was not tendered on that day. The letter of resignation is no doubt in the hand writing and under the signature of the workman. A careful reading of it will show that it is written in a hurried manner. The workman who had put up a service for about 22 years had no reason to tender resignation in a hurried manner asking the management to settle his accounts, which were not in fact settled then. It has to be noted that this letter of resignation is undated and somebody from the management has made an endorsement on the left hand corner showing that it was received on 30-10. there being no year. Such endorsement can be made at any convenient time. So there is reason to believe that this letter of resignation is not a voluntary one and there is some reason to believe in the statement of the workman that he was forced to tender the resignation.

I am constrained to make the above observations in view of the statement on oath made by Shri K. N. Rao who is summoned as a witness for the workman after his resignation from Party II in 1984. Shri Rao states that while he was in the cabin of K. G. Agrawal he was asked about the work done by the workman Cota and the Co-personnel Manager K. G. Agrawal told him that he was not pleased with the services of the workman S. J. Cota and that his services should be terminated immediately. The witness Rao refused to comply with this request. Hence one more officer by name K. Mandania was called in and he was asked by Agrawal whether the workman's services can be terminated forthwith. Mr. Mandania then suggested that the witness Rao should talk to the workman and obtain a resignation from the workman on the condition that he would be paid on the same pattern as was paid to the retrenched workmen namely the barge crew and the Mine staff. According to him the management had started retrenching workmen from

different concerns and the retrenchment was being done in a phased manner reducing the strength from 801 to 196. This figure comprises of all employees in the group of Agrawal concerns. So far as the workman is concerned the witness states that the workman refused to submit the resignation and subsequently showed willingness to resign if all legal dues including ex-gratia were paid to him. The workman was un-willing to tender his resignation because he had put in 22 years of service in the company and was having three school going daughters. The witness then informed about this to the management and the task of obtaining the resignation was handed to Mr. K. Mandania. According to this witness at around 11.40 a.m. on 30th October, 1982 while he himself and Mr. K. Mandania were present in the chamber of Mr. Agrawal the workman was called and apart from giving him threats he was abused also in presence of the witness. The workman was categorically informed in unambiguous language that if the workman did not tender the resignation within 15 minutes he would be handed over to the police. According to him the workman, discussed this with the other staff and there was a commotion in the office. Since the workman had to oblige the directive of the co-personnel officer A. G. Agrawal the witness himself volunteered to draft a resignation letter and that resignation letter was signed by the workman and the letter contained a condition that the workman should be paid all legal dues. This is how the witness states that the letter Exb. E-4 was not the voluntary letter of resignation but there was some other letter of resignation and it is Exb. W-1 which is a copy and its original is also produced by the management. This letter of resignation is dated 30th October, 1982 and in it the workman has informed the Director of M/s. G. N. Agrawal that as he had completed the service of 22 years and he should be paid compensation, gratuity, leave pay etc., as per the oral understanding between him and the management. Hence it can be surmised that this is not a letter of resignation but this is a letter to enable the management to retrench him from services by paying all legal dues. Consequently the Manager wrote the reply Exb. W-2 dated 3rd November, 1982 informing him that the resignation is accepted and he is relieved from his duties from the closing hours of Saturday, the 13th November, 1982. This date 13-11-1982 is important because it is the date of the termination of services the question being whether this is a termination simpliciter or whether this is an order of retrenchment. Considering the evidence on record I am inclined to hold that this is a letter of retrenchment and the management as per the evidence on record had started retrenching its workers in a phased manner because of the recession in the Mining Industry. As against the evidence of the two witnesses for Party I / Workman the management has examined the Power of Attorney holder by name Kanniyalal Mandhaniya who admits that he has no personal knowledge regarding the circumstances under which the resignation was accepted. The management should have examined the person who has accepted the resignation. The management has not done this. Hence upon an overall consideration of the evidence on record I am inclined to hold that the so called letter of resignation Exb. W-1 is nothingless but a voluntary statement made to the management to enable it to retrench the workman as desired by the management.

As stated in the foregoing paragraphs the dispute in this matter has narrowed down to a very limited compass namely the payment of gratuity and the payment of retrenchment compensation which are the two pre-requisites for the action of retrenchment taken by the management as contemplated u/s 25 F of the Act. As laid down therein, when a workman having served for more than a year is retrenched the workman shall be given one month's notice in writing and then the workman be paid retrenchment compensation equivalent to 15 days average pay for every completed year of service and the gratuity. I therefore answer the issues 1. and 2 accordingly and hold that the resignation was obtained by force and the workman has proved that his resignation was subject to the fulfilment by the employer of the condition mentioned in the letter of resignation namely payment of retrenchment compensation and gratuity. The workman has been paid the salary for the 13 days up to the letter of termination and also the salary for the leave which had remained in arrears. Hence what remains to be paid to the workman is the retrenchment compensation at the rate of 15 days average pay for every completed year of continuous

service of 22 years and the amount of gratuity as per the provisions of law. In the result, I pass the following order:

ORDER

It is hereby held that the termination of the workman Shri S. J. Cota, Sr. Clerk, w.e.f. 13-11-1982 by the employer M/s. G. N. Agrawal, Station Road, Margao, Salcete, Goa is the retrenchment from service within the meaning of Sec. 25 F of the Industrial Disputes Act.

Consequently by way of relief the management of the employer M/s. G. N. Agrawal do pay to the workman retrenchment compensation for the services of 22 years and the gratuity according to Law.

In the circumstances of the case, the parties do bear their own costs.

Inform the Government accordingly about the passing of the award.

S. V. Nevagi
Presiding Officer
Industrial Tribunal

Order

No. 28/71/90-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Kay Pee Steels Pvt. Ltd., Tisk-Usgao and their workman Shri Appaji M. Zende in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act') the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji - Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of the management of M/s. Kay Pee Steels Pvt. Ltd., Tisk-Usgao, Ponda Goa in terminating the services of Shri Appaji M. Zende, Electrician, with effect from 12-1-1990 is legal and justified?"
- (2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 11th January, 1991.

Order

No. 26/13/90-LAB

In exercise of the powers conferred by sub-section (1) of Section 65 read with the proviso to clause (b) or sub-section (1) of Section 66 of the Factories Act, 1948 (Central Act 63 of 1948); the Government of Goa, is pleased to permit M/s. Atlantic Spinning & Weaving Mills Limited, Xeldem, Quepem, Goa, to employ women workers in their Factory between 5.00 a.m. to 10.00 p.m. for a period of one year from the date of issue of this order subject to the following conditions:—

1. Transportation facility shall be provided to the female workers from the place of work to the place of residence of respective worker.
2. Transportation of worker shall be under proper security escorts and female supervisory personnel.
3. Willingness from respective female worker which would be employed from 5.00 a.m. to 10.00 p.m. hours shall be obtained before employment.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 17th January, 1991.